

**PCT REQUEST**

Original (for SUBMISSION) - printed on 27.08.2003 10:30:42 AM

<b>0</b>	<b>For receiving Office use only</b>	
<b>0-1</b>	International Application No.	
<b>0-2</b>	International Filing Date	
<b>0-3</b>	Name of receiving Office and "PCT International Application"	
<b>0-4</b>	<b>Form - PCT/RO/101 PCT Request</b>	
<b>0-4-1</b>	Prepared using	<b>PCT-EASY Version 2.92 (updated 01.07.2003)</b>
<b>0-5</b>	<b>Petition</b> The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
<b>0-6</b>	<b>Receiving Office (specified by the applicant)</b>	<b>European Patent Office (EPO) (RO/EP)</b>
<b>0-7</b>	<b>Applicant's or agent's file reference</b>	<b>1121WOORD01</b>
<b>I</b>	<b>Title of Invention</b>	<b>NOVEL 2-HYDROXY-6-PHENYLPHENANTHRIDINES</b>
<b>II</b>	<b>Applicant</b>	
<b>II-1</b>	This person is:	<b>applicant only</b>
<b>II-2</b>	Applicant for	<b>all designated States except US</b>
<b>II-4</b>	Name	<b>ALTANA PHARMA AG</b>
<b>II-5</b>	Address:	<b>Byk-Gulden-Str. 2 D-78467 Konstanz Germany</b>
<b>II-6</b>	State of nationality	<b>DE</b>
<b>II-7</b>	State of residence	<b>DE</b>
<b>II-8</b>	Telephone No.	<b>+49 - (0) 7531-845226</b>
<b>II-9</b>	Facsimile No.	<b>+49 - (0) 7531-845321</b>
<b>II-10</b>	e-mail	<b>DEKON.IPPA-DE@altanapharma.com</b>

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III-1	Applicant and/or Inventor	applicant and inventor
III-1-1	This person is:	US only
III-1-2	Applicant for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP:
III-1-3	Inventor for	(AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CA CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PH PL SG TN UA US VN YU ZA ZW
III-1-4	Name (LAST, First)	KAUTZ, Ulrich
III-1-5	Address:	Prof.-Schmider-Str. 12 D-78476 Allensbach Germany
III-1-6	State of nationality	DE
III-1-7	State of residence	DE
III-2	Applicant and/or Inventor	applicant and inventor
III-2-1	This person is:	US only
III-2-2	Applicant for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP:
III-2-3	Inventor for	(AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CA CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PH PL SG TN UA US VN YU ZA ZW
III-2-4	Name (LAST, First)	SCHMIDT, Beate
III-2-5	Address:	Allensbacher Str. 5 D-78476 Allensbach Germany
III-2-6	State of nationality	DE
III-2-7	State of residence	DE
III-3	Applicant and/or inventor	inventor only
III-3-1	This person is:	EA: (AM AZ BY KG KZ MD RU TJ TM); EP:
III-3-3	Inventor for	(AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-3-4	Name (LAST, First)	FLOCKERZI, Dieter
III-3-5	Address:	Ackerweg 26 D-78476 Allensbach Germany

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III-4	Applicant and/or inventor	
III-4-1	This person is:	inventor only
III-4-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-4-4	Name (LAST, First)	GRUNDLER, Gerhard
III-4-5	Address:	Meersburger Str. 4 D-78464 Konstanz Germany
III-5	Applicant and/or inventor	
III-5-1	This person is:	inventor only
III-5-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-5-4	Name (LAST, First)	NAVE, Rüdiger
III-5-5	Address:	Friedrichstraße 46 D-78464 Konstanz Germany
III-6	Applicant and/or inventor	
III-6-1	This person is:	inventor only
III-6-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-6-4	Name (LAST, First)	HUMMEL, Rolf-Peter
III-6-5	Address:	Altbohlstr. 32 D-78315 Radolfzell Germany

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III-7	Applicant and/or inventor	
III-7-1	This person is:	inventor only
III-7-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-7-4	Name (LAST, First)	STURM, Ernst
III-7-5	Address:	Bohlstraße 14 D-78465 Konstanz Germany
III-8	Applicant and/or inventor	
III-8-1	This person is:	inventor only
III-8-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-8-4	Name (LAST, First)	HATZELMANN, Armin
III-8-5	Address:	Alter Wall 3 D-78467 Konstanz Germany
III-9	Applicant and/or inventor	
III-9-1	This person is:	inventor only
III-9-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-9-4	Name (LAST, First)	BARSIG, Johannes
III-9-5	Address:	Bleichenweg 11 D-78467 Konstanz Germany

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III-10	Applicant and/or inventor	
III-10-1	This person is:	inventor only
III-10-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-10-4	Name (LAST, First)	MARX, Degenhard
III-10-5	Address:	Obere Reute 15 D-78345 Moos Germany
III-11	Applicant and/or inventor	
III-11-1	This person is:	inventor only
III-11-3	Inventor for	EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR); AE AL AU BA BR CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PL SG TN UA VN YU ZA ZW
III-11-4	Name (LAST, First)	KLEY, Hans-Peter
III-11-5	Address:	Im Weinberg 3b D-78476 Allensbach Germany
IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	WILD, Robert
IV-1-2	Address:	c/o ALTANA Pharma AG Byk-Gulden-Str.2 D-78467 Konstanz Germany
IV-1-3	Telephone No.	+49(0)7531-845226
IV-1-4	Facsimile No.	+49(0)7531-845321
IV-1-5	e-mail	DEKON.IPPA-DE@altanapharma.com
V	Designation of States	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT EP: AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR and any other State which is a Contracting State of the European Patent Convention and of the PCT

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V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AE AL AU BA BR CA CN CO DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PH PL SG TN UA US VN YU ZA ZW	
V-5	<b>Precautionary Designation Statement</b>  In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.		
V-6	Exclusion(s) from precautionary designations	NONE	
VI-1	Priority claim of earlier regional application		
VI-1-1	Filing date	29 August 2002 (29.08.2002)	
VI-1-2	Number	02019335.5	
VI-1-3	Regional Office	EP	
VII-1	International Searching Authority Chosen	European Patent Office (EPO) (ISA/EP)	
VII-2	Request to use results of earlier search; reference to that search		
VII-2-1	Date	12 November 2002 (12.11.2002)	
VII-2-2	Number	EP02019335	
VII-2-3	Country (or regional Office)	EP	
VIII	Declarations	Number of declarations	
VIII-1	Declaration as to the identity of the inventor	-	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	1	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	1	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-	

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VIII-2-1	<p><b>Declaration: Entitlement to apply for and be granted a patent</b></p> <p>Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:</p> <p>Name:</p>	<p>in relation to this international application</p> <p>ALTANA PHARMA AG</p> <p>is entitled to apply for and be granted a patent by virtue of the following:</p>
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, FLOCKERZI, Dieter
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, GRUNDLER, Gerhard
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, NAVE, Rüdiger
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, HUMMEL, Rolf-Peter
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, STURM, Ernst
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, HATZELMANN, Armin
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, BARSIG, Johannes
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, KLEY, Hans-Peter
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, KAUTZ, Ulrich
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, SCHMIDT, Beate
(ii)		
VIII-2-1		ALTANA PHARMA AG is entitled as employer of the inventor, MARX, Degenhard
(ii)		
VIII-2-1	This declaration is made for the purposes of:	all designations except the designation of the United States of America
(ix)		

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VIII-4-1	<p><b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b>  Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p>	<p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p>
VIII-4-1 -1	Prior applications:	




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		<p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>
VIII-4-1 -1-1	Name:	KAUTZ, Ulrich
VIII-4-1 -1-2	Residence: (city and either US State, if applicable, or country)	Allensbach, Germany
VIII-4-1 -1-3	Mailing address:	Prof.-Schmider-Str. 12
VIII-4-1 -1-4	Citizenship:	DE
VIII-4-1 -1-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the International application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -1-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	22 September 2003

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VIII-4-1 -2-1	Name:	SCHMIDT, Beate
VIII-4-1 -2-2	Residence: (city and either US State, if applicable, or country)	Allensbach, Germany
VIII-4-1 -2-3	Mailing address:	Allensbacher Str. 5
VIII-4-1 -2-4	Citizenship:	DE
VIII-4-1 -2-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	<i>B. Schmidt</i>
VIII-4-1 -2-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	<i>22. September 2003</i>

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IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	12	-
IX-2	Description	62	-
IX-3	Claims	11	-
IX-4	Abstract	1	EZABST00.TXT
IX-5	Drawings	0	-
IX-7	TOTAL	86	
	Accompanying items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	-
IX-11	Copy of general power of attorney	reference no. 2616 rev.	-
IX-13	Priority document(s)	Item(s) VI-1	-
IX-17	PCT-EASY diskette	-	Diskette
IX-19	Figure of the drawings which should accompany the abstract		
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name (LAST, First)	KAUTZ, Ulrich	
X-2	Signature of applicant, agent or common representative		
X-2-1	Name (LAST, First)	SCHMIDT, Beate	
X-3	Signature of applicant, agent or common representative		
X-3-1	Name (LAST, First)	WILD, Robert	

## FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/EP
10-6	Transmittal of search copy delayed until search fee is paid	

**PCT (ANNEX - FEE CALCULATION SHEET)**

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(This sheet is not part of and does not count as a sheet of the international application)

<b>0</b>	<b>For receiving Office use only</b>	
<b>0-1</b>	International Application No.	
<b>0-2</b>	Date stamp of the receiving Office	
<b>0-4</b>	<b>Form - PCT/RO/101 (Annex)</b>	
<b>0-4-1</b>	PCT Fee Calculation Sheet Prepared using	<b>PCT-EASY Version 2.92 (updated 01.07.2003)</b>
<b>0-9</b>	Applicant's or agent's file reference	<b>1121WOORD01</b>
<b>2</b>	Applicant	<b>ALTANA PHARMA AG, et al.</b>
<b>12</b>	<b>Calculation of prescribed fees</b>	<b>fee amount/multiplier      Total amounts (EUR)</b>
<b>12-1</b>	Transmittal fee <b>T</b>	<b>⇒      100</b>
<b>12-2-1</b>	Search fee <b>S</b>	<b>⇒      945</b>
<b>12-2-2</b>	International search to be carried out by	<b>EP</b>
<b>12-3</b>	International fee	
	Basic fee (first 30 sheets) <b>b1</b>	<b>444</b>
<b>12-4</b>	Remaining sheets	<b>56</b>
<b>12-5</b>	Additional amount <b>(X)</b>	<b>10</b>
<b>12-6</b>	Total additional amount <b>b2</b>	<b>560</b>
<b>12-7</b>	<b>b1 + b2 =      B</b>	<b>1.004</b>
<b>12-8</b>	Designation fees	
	Number of designations contained in international application	<b>38</b>
<b>12-9</b>	Number of designation fees payable (maximum 5)	<b>5</b>
<b>12-10</b>	Amount of designation fee <b>(X)</b>	<b>96</b>
<b>12-11</b>	Total designation fees <b>D</b>	<b>480</b>
<b>12-12</b>	PCT-EASY fee reduction <b>R</b>	<b>-137</b>
<b>12-13</b>	Total International fee (B+D-R) <b>I</b>	<b>⇒      1.347</b>
<b>12-17</b>	<b>TOTAL FEES PAYABLE (T+S+I+P)</b>	<b>⇒      2.392</b>
<b>12-19</b>	Mode of payment	<b>authorization to charge deposit account</b>
<b>12-20</b>	Deposit account instructions	
	The receiving Office:	<b>European Patent Office (EPO) (RO/EP)</b>
<b>12-20-1</b>	Authorization to charge the total fees indicated above.	<b>✓</b>
<b>12-20-2</b>	Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	<b>✓</b>
<b>12-21</b>	Deposit account No.	<b>2800.0022</b>
<b>12-22</b>	Date	<b>27 August 2003 (27.08.2003)</b>

## PCT (ANNEX - FEE CALCULATION SHEET)

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12-23	Name and signature	ALTANA PHARMA AG <i>R. W. Z.</i>
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## VALIDATION LOG AND REMARKS

13-2-2	Validation messages States	<p>Green?</p> <p>More designations could be made. The following States have not been designated: AP:( GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW); OA:( BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG); AG, AM, AT, AZ, BB, BG, BY, BZ, CH, LI, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GH, GM, HU, KE, KG, KP, KZ, LC, LK, LR, LS, LU, MD, MG, MN, MW, MZ, NI, OM, PG, PT, RO, RU, SC, SD, SE, SK, SL, SY, TJ, TM, TR, TT, TZ, UG, UZ, VC, ZM. Please verify.</p>
		<p>Yellow!</p> <p>Additional national designation added: Obtain updated maintenance tables rather than using this field.</p>
13-2-3	Validation messages Names	<p>Yellow</p> <p>Inventor 1.: should be indicated as applicant/inventor for the purposes of the US designation.</p>
		<p>Yellow</p> <p>Inventor 2.: should be indicated as applicant/inventor for the purposes of the US designation.</p>
		<p>Yellow</p> <p>Inventor 3.: should be indicated as applicant/inventor for the purposes of the US designation.</p>
		<p>Yellow</p> <p>Inventor 4.: should be indicated as applicant/inventor for the purposes of the US designation.</p>
		<p>Yellow</p> <p>Inventor 5.: should be indicated as applicant/inventor for the purposes of the US designation.</p>

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		Yellow Inventor 6.: should be indicated as applicant/inventor for the purposes of the US designation.
		Yellow Inventor 7.: should be indicated as applicant/inventor for the purposes of the US designation.
		Yellow Inventor 8.: should be indicated as applicant/inventor for the purposes of the US designation.
		Yellow Inventor 9.: should be indicated as applicant/inventor for the purposes of the US designation.
13-2-7	Validation messages Contents	Green? The international application contains no drawings. Please verify.
13-2-9	Validation messages Payment	Green? Please ensure that you have a valid deposit account with the receiving Office selected.